

## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/737,245
Filing Date	December 15, 2003
First Named Inventor	Balu
Art Unit	1651
Examiner Name	TBD
Attorney Docket Number	AFY-2068-CT

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b> Response to notice to comply with sequence listing requirements, including petition for one month extension of time in which to respond; Copy of notice; Second Preliminary Amendment incorporating by reference sequence listing into application.	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Biotechnology Law Grop		
Signature			
Printed name	Edward O. Kreusser		
Date	10/17/2005	Reg. No.	38,523

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Edward O. Kreusser	Date	10/17/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
AFY-2068-CT (formerly AFFY2095.CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
Palani Balu ) Examiner: TBD  
Serial No.: 10/737,245 ) Art Unit: 1651  
Filed: 12/15/2003 )  
For: NOVEL PREPIDE DIMERS AS AGONISTS )  
OF THE ERYTHROPOIETIN (EPO) )  
RECEPTOR, AND ASSOCIATED METHODS )  
OF SYNTHESIS AND USE )

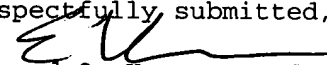
**RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE LISTING REQUIREMENT**  
**PETITION FOR ONE MONTH EXTENTION OF TIME TO RESPOND**

Commissioner of Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Responsive to the attached Notice To comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, the undersigned encloses herewith a paper hard copy of the sequence listing submitted in connection with the parent case, ser. no 09/499,064, and asks that, per the attached preliminary amendment, the present application be amended to incorporate this listing. The undersigned certifies that to the best of his knowledge and understanding this hard copy is identical to the CRF previously requested transferred and contains no new matter. Applicant also hereby petitions for a one month extension of time under 37 CFR 1.136(a) in which to answer and authorizes the Commissioner to debit deposit account 010430 for \$120 and any other amount that may be due and owing in connection with this matter.

Respectfully submitted,


  
Edward O. Kreusser, Esq  
Reg. No. 38,523  
Attorney for Applicants

**CERTIFICATE OF MAILING**

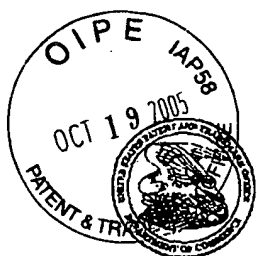
I hereby certify that this correspondence is being deposited as first class mail with the United States Postal Service this 17<sup>th</sup> day of October, 2005.

Edward O. Kreusser

Name of Person Signing this Certificate

 October 17, 2005

Date of Deposit



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/737,245	12/15/2003	Palani Balu	AFFY 2068 CON1

35938  
BIOTECHNOLOGY LAW GROUP  
C/O PORTFOLIOIP  
P.O. BOX 52050  
MINNEAPOLIS, MN 55402

CONFIRMATION NO. 5841

FORMALITIES LETTER



\*OC000000016656200\*

Date Mailed: 07/29/2005

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

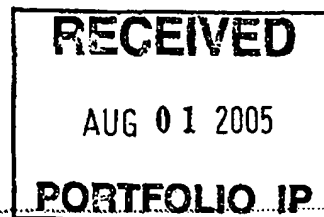
Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

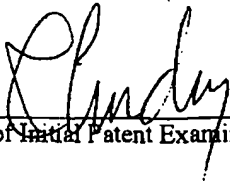
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- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

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PART 2 - COPY TO BE RETURNED WITH RESPONSE